

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John Ortiz
Debtor(s)

Bankruptcy Case No.: 20-20011-GLT
Issued Per June 22, 2020 Proceeding
Chapter: 13
Docket No.: 50 - 19
Concil. Conf.: July 30, 2020 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 8, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 30, 2020 at 10:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: USAA Federal Savings Bank/Nationstar Mortgage (Claim No. 4); Borough of Crafton sewage (Claim No. 12); Borough of Crafton sewage (Claim No. 13) .
- ☒ H. Additional Terms: The secured claim of USAA Federal Savings Bank (Claim No. 8) shall govern as to claim amount, to be paid at the modified plan terms with payments to be determined by Trustee.

Nicole Ortiz and Michele Moore domestic support obligation to be paid outside the plan.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

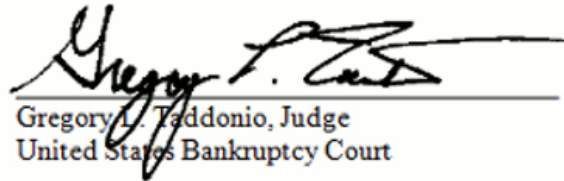
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: June 24, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John Ortiz
 Debtor

Case No. 20-20011-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 35

Date Rcvd: Jun 24, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 26, 2020.

db +John Ortiz, 30 Lawson Avenue, Pittsburgh, PA 15205-2927
 cr +Borough of Crafton, GRB Law, 437 Grant Street 14th Floor, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 cr +USAA Federal Savings Bank, c/o Weinstein & Riley, P.S., 11101 West 120th Ave, Suite 280,
 Broomfield, CO 80021-2756
 15178586 +Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
 15197315 +Allegheny County Domestic Relations, FAMILY DIVISION, 440 ROSS STREET,
 Pittsburgh, PA 15219-2413
 15215122 +Borough of Crafton, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh PA 15219-6101
 15178587 +Citicards Chna, Po Box 6217, Sioux Falls, SD 57117-6217
 15178589 +Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
 15178590 +First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
 15199803 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741)
 15197324 +Nicole Ortiz, 2 Norma Street, Pittsburgh, PA 15205-2729
 15197326 +PA SCDU, PO Box 69110, Harrisburg, PA 17106-9110
 15178593 +Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012
 15178594 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 15202656 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15202682 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15217262 +USAA FEDERAL SAVINGS BANK, NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER,
 Bankruptcy Department, PO BOX 619096, DALLAS TX 75261-9096
 15197332 +USAA Federal Savings Bank, PO Box 619094, Dallas, TX 75261-9094
 15178595 +Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
 15197330 Usaa Federal Savings, Pob 47504, San Antonio, TX 78265
 15178596 Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
 15178597 +Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
 15178598 Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306
 15213886 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,
 Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15217169 E-mail/Text: BankruptcyNotices@aafes.com Jun 25 2020 04:48:12
 Army & Air Force Exchange Services, Attention: GC-G, 3911 S. Walton Walker Blvd,
 Dallas, TX 75236
 15178591 E-mail/Text: BankruptcyNotices@aafes.com Jun 25 2020 04:48:13 Military Star,
 3911 Walton Walker, Dallas, TX 75266
 15181215 E-mail/Text: mrdiscen@discover.com Jun 25 2020 04:48:08 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15178588 +E-mail/Text: mrdiscen@discover.com Jun 25 2020 04:48:08 Discover Fin Svcs Llc, Pob 15316,
 Wilmington, DE 19850-5316
 15214852 +E-mail/Text: kbarkley@bernsteinlaw.com Jun 25 2020 04:50:17 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15197322 +E-mail/Text: sbse.cio.bnc.mail@irs.gov Jun 25 2020 04:48:25 Internal Revenue Service,
 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
 15178592 +E-mail/PDF: cbp@onemainfinancial.com Jun 25 2020 04:57:15 Onemain, Po Box 1010,
 Evansville, IN 47706-1010
 15181143 +E-mail/PDF: cbp@onemainfinancial.com Jun 25 2020 04:56:25 Onemain, PO Box 3251,
 Evansville, IN 47731-3251
 15194608 E-mail/Text: bankruptcy@bbandt.com Jun 25 2020 04:48:38 Sheffield Financial, PO Box 1847,
 Wilson, NC 27894-1847
 15207071 +E-mail/Text: bncmail@w-legal.com Jun 25 2020 04:49:27 USAA Federal Savings Bank,
 C/O: Weinstein & Riley, P.S., 2001 Western Avenue, Ste 400, Seattle, WA 98121-3132
 TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper as servic
 cr USAA Federal Savings Bank
 cr USAA Federal Savings Bank
 cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 15197314* +Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
 15197323* +CREDITORS BANKRUPTCY SERVICE, PO BOX 800849, DALLAS TX 75380-0849
 (address filed with court: Military Star, 3911 Walton Walker, Dallas, TX 75266)
 15197316* +Citicards Chna, Po Box 6217, Sioux Falls, SD 57117-6217
 15197317* +Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
 15197318* +Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
 15197319* +First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
 15197320* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
 15197321* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 35

Date Rcvd: Jun 24, 2020

***** BYPASSED RECIPIENTS (continued) *****

15197325* +Onemain, Po Box 1010, Evansville, IN 47706-1010
15197327* Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012
15197328* +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15197329* +Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
15197331* Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
15197333* +Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
15197334* Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306

TOTALS: 3, * 16, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 26, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor USAA Federal Savings Bank bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Crafton jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Kristen D. Little on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer
for USAA Federal Savings Bank pakb@logs.com, klittle@logs.com
Lisa Cancanon on behalf of Creditor USAA Federal Savings Bank lisac@w-legal.com
Michael John Clark on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer
for USAA Federal Savings Bank pakb@logs.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor John Ortiz ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com/srk@sjwpgh.com
Thomas Song on behalf of Creditor USAA Federal Savings Bank pawb@fedphe.com

TOTAL: 11